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## Section 1.0 - Land Use Element

The allocation of land uses and their spatial relationship is a fundamental component of planning and affects the County's ability to maintain its community attributes that provide an exceptional quality of life. Universal stewardship of the land, water and air results in sustainable communities and protection of the environment within our community and will improve the quality of life for residents of Queen Anne's County. Land use analysis focuses on patterns of the built landscape and environmental trends as a result of historical settlements and current population needs as well as those future land use patterns that are representative of **smart growth** objectives in order to meet the needs of future populations.

The Land Use Element emphasizes **sustainable smart growth management** in the context of the natural environment while continuing the County's ethic of **maintaining a quintessential rural community** by preserving agricultural lands and environmentally sensitive areas. Land use policies impact all other aspects of community development addressed in the various Plan elements and as articulated through the Twelve Visions of Article 66B of the Annotated Code of Maryland.

This element has been developed considering all other plan elements. Land use decisions directly impact all aspects of community preservation and development such as preservation of priority areas and historic and cultural resources, provision of adequate community facilities such as water, sewer, recreation facilities, schools, transportation and other services managed, operated and expanded as needed to support communities as they grow.

### Section 1.1 Legislative Background, Smart Green and Growing Initiative (SGG)

The current policy focus is on **smart, green and growing** planning initiatives. The Smart, Green & Growing Planning (SGG) legislation passed in 2009 by the Maryland General Assembly was designed to protect the environment and natural resources and to promote sustainable growth across the State. The following is a listing of other key legislation affecting land use planning.

- **Article 66B of Annotated Code of Maryland**, as amended - sets the standards for local jurisdictions that choose to exercise the authority to plan for the future of the community as well as regulate land use through zoning.

#### Article 66B Visions

##### 1. Quality of Life

##### 2. Public Participation

##### 3. Growth Areas

##### 4. Community Design

##### 5. Infrastructure

##### 6. Transportation

##### 7. Housing

##### 8. Economic Development

##### 9. Environmental Protection

##### 10. Resource Conservation

##### 11. Stewardship

##### 12. Implementation



- **Water Resource Element** – HB 1141 from the 2006 Legislative Session of the Maryland General Assembly requires local jurisdictions to include a Water Resource Element (WRE) that addresses the relationship of planned growth to water resources for wastewater treatment and disposal and safe drinking water as well as nitrogen and phosphorus nutrient loadings associated with stormwater runoff. Based upon these requirements, the County’s approach to land use planning in this Plan is through the *lens of water resources management*. Refer to Appendix 3: Water Resource Analysis and Best Management Practices Toolkit and Section 2.0: Sensitive Areas, Water Resource and Mineral Resources Elements of this Plan.
- **Municipal Growth Element** – HB 1141 also requires each of the Towns to prepare a Municipal Growth Element (MGE) as part of their comprehensive plan. This element identifies areas for future Town growth through annexation as well as allows for the coordination of growth around the Town boundaries. The Municipal Growth Elements are used to assist with the development of the Water Resource Element in this Plan. This Plan references the Towns’ Municipal Growth Elements. Refer to Section 5.0 County/Town Planning Framework in this Plan.
- **Priority Preservation Areas Element** – The Agricultural Stewardship Act of 2006, HB 2, added a Priority Preservation Area (PPA) Element to the list of additional plan elements that the County is required to include in the Comprehensive Plan. This element is required for the County based upon its certified status through the Maryland Agricultural Land Preservation Foundation program. Refer to Section 3.0 Priority Preservation Areas (PPA) Element in this plan.

The Queen Anne’s County Planning Commission, consisting of seven members, has the powers necessary to enable it to fulfill its functions, promote planning and execute the requirements of Article 66B. The Commission makes and approves the County’s Comprehensive Plan, County Planning Area Plans (also known as Community Plans), jointly adopted Plans in coordination with Towns, and other types of plans that are submitted to the Board of County Commissioners for adoption.

### Section 1.1.1 County Land Use Planning Process

The County has a history of over 40 years of planning for its future starting as early as the 1965 Comprehensive Plan. The following provides brief highlights for each planning effort of yesterday, today and tomorrow:

- ◆ 1965 Comprehensive Plan – *(Establish Guiding Principles)*
- ◆ 1987 Comprehensive Plan – *(Define Guiding Principles)*
- ◆ 1993 Comprehensive Plan – *(Confirm Guiding Principles)*
- ◆ 2002 Comprehensive Plan – *(Enhance Guiding Principles)*
- ◆ 2010 Comprehensive Plan – *(Strengthen Guiding Principles)*



The planning process provides the mechanism for County government to actively engage the community to plan for the future. Both the planning process and this Plan are unprecedented in the history of Queen Anne's County's planning in that the County Commissioners invested heavily in implementation of a collaborative planning process engaging many participants.

Throughout this process, there were numerous and varied opportunities for public participation to provide input about future land use and a **Blue Ribbon Panel** was established to study various aspects of **smart growth** and issues associated with **rural preservation and development**. The Panel, diverse in representation, provided a series of recommendations to the Planning Commission for consideration and those recommendations have been woven into this Plan. These recommendations provide the basis for discussion of preservation of rural agricultural lands as well as how best to direct growth to existing and/or new County and Towns Planning Areas.

This process also actively engaged the Towns in a comprehensive, continuous and collaborative dialogue to plan and direct growth appropriately and to partner to provide adequate public facilities. This is detailed in Section 5.0: County/Town Planning Framework in this Plan.

### **Agricultural Preservation Recommendations**

- *Expand the 2008 PPA to an area greater than the Rural Legacy Areas.*
- *Enhance the Purchase of Development Rights (PDRs) program through consideration of County bonding authority to purchase PDRs.*
- *Explore opportunity for creation of voluntary County agricultural districts as a mechanism to provide an inventory of potential applicants for easement acquisition.*
- *Continue to aggressively apply for preservation funding.*
- *Consider modifications of the Transfer of Development Rights (TDR) Program to include more tools for increased agricultural land preservation.*
- *Consider appropriate locations for new Planning Areas with development incentives.*
- *Review Zoning.*

### **Section 1.1.2 Land Use Planning versus Zoning**

Comprehensive Planning is a process that identifies existing conditions, analyzes development capacity through use of build-out methodology and determines the desired land use patterns for the future. The 2010 Comprehensive Planning efforts have considered the impacts of land use on water resources when determining the desired future land use patterns. Appendix 3: Water Resources Analysis and Best Management Practices Toolkit provides the land use nitrogen and phosphorus loadings to the County's surface water resources and considers effects on wastewater treatment and drinking water resources with accompanying recommendations concerning the impacts of existing development and potential growth.

The identification of desired future land use patterns is further described by the allocation of types or classifications of land such as residential, rural agricultural, commercial and industrial. Land use planning takes into consideration various aspects of the past, present and projected conditions of a community. Some aspects of a community plan consider population and demographic data and information, along with existing and proposed land use, environmental resources, transportation, public facilities such as water and sewer, economic development, historic resources, recreation and housing.



The goals, objectives and recommendations of the Comprehensive Plan are implemented through tools such as zoning. Zoning and subdivision regulations typically include standards and limitations for permitted uses and densities, development plan approvals, parking requirements, landscaping requirements, private and community space, and forest conservation standards, consistent with the Comprehensive Plan. The Comprehensive Plan is the blueprint for where land use activities will occur while zoning is the tool that establishes precisely how it will occur.

On the following page, Table 1-1: Comparison of Comprehensive Plan and Zoning describes the differences and relationship between land use planning, referred to as a Comprehensive Plan, and zoning.

**Table 1-1: Comparison of Comprehensive Plan and Zoning**

Comprehensive Plan	Zoning
The Plan is a guide that expresses long-range goals and objectives, some of which may not be realized for years, even decades into the future.	Zoning regulations are related to the present and are detailed laws pertaining to the use of property.
The Plan is generalized and flexible in many respects.	Zoning is precise, especially with respect to the boundaries of the various zoning districts, permitted uses within those zones, allowed densities, setbacks, and regulations for new development.
The Plan addresses both private development and public need for community facilities and infrastructure.	Zoning primarily relates to the use of private property, but can accommodate public uses.
The Plan recommends the use of land, but not how the land will be developed.	When development is planned to occur, zoning is the law that determines what can be done in terms of type of use, density, setbacks, lot size, open space and other factors.

## Section 1.2 Vision, Overarching Goals & Guiding Principles

Article 66B of Annotated Code of Maryland, as amended, sets the standards for local jurisdictions that choose to exercise the authority to plan for the future of the community as well as regulate land use through zoning. Those visions relevant to land use planning and development include:

- ① **Quality of Life and Sustainability** – A high quality of life is achieved through universal stewardship of the land, water and air resulting in sustainable communities and protection of the environment.
- ② **Public Participation** – Citizens are active partners in the planning and implementation of community initiatives and are sensitive to their responsibilities in achieving community goals.
- ③ **Growth Areas** – Growth is concentrated in existing population and business centers, growth areas adjacent to these centers, or strategically selected new centers.
- ④ **Community Design** – Compact, mixed-use, walkable design consistent with existing community character and located near available or planned transit options is encouraged to ensure efficient use of land and transportation resources and preservation and enhancement of natural systems, open spaces, recreational areas, and historical, cultural and archeological resources.





- ⑤ **Infrastructure** – Growth areas have the water resources and infrastructure to accommodate population and business expansion in an orderly, efficient, and environmentally sustainable manner.
- ⑥ **Transportation** – A well-maintained, multi-modal transportation system facilitates safe, convenient, affordable and efficient movement of people, goods, and services within and between population and business centers.
- ⑦ **Housing** – A range of housing densities, types and sizes provides residential options for citizens of all ages and incomes.
- ⑧ **Economic Development** – Economic development and natural resource-based businesses that promote employment opportunities for all income levels are encouraged within the capacity of the State's natural resources, public services and public facilities.
- ⑨ **Environmental Protection** – Land and water resources, including the Chesapeake Bay and Coastal Bays, are carefully managed to restore and maintain healthy air and water, natural systems and living resources.
- ⑩ **Resource Conservation** – Waterways, forest, agricultural areas, open space, natural systems and scenic areas are conserved.
- ⑪ **Stewardship** – Government, business entities, and residents are responsible for the creation of sustainable communities by collaborating to balance efficient growth with resource protection.
- ⑫ **Implementation** – Strategies, policies, programs and funding for growth and development, resource conservation, infrastructure, and transportation are integrated across the local, regional, state and interstate levels to achieve, these visions.

### Section 1.2.1 Overarching Goals

The **Overarching Goal** for the Land Use Element is to adopt policies, legislation, regulations, enforcement, procedures, incentives and appropriate funding necessary to encourage infrastructure that will protect our waterways, conserve our natural resources and support sustainable and responsible agriculture.

The **VISION** is that Queen Anne's County will be a rural County that plans for orderly growth to protect and sustain a primarily agricultural, forested and maritime community within the limits of natural resources by concentrated future growth in existing towns and population centers, and preserves the County's natural beauty and resources for future generations. The County will emphasize **preservation of the rural character of Queen Anne's County through the support of agriculture as an industry and to preserve the equity that exists in the agricultural lands.** Queen Anne's County is also a County that values and protects its water resources and is conscientious of its stewardship to the land and other natural assets and resources that make this a great place to live, work and play.



### Section 1.2.2 Guiding Principles

The **sustainable smart growth** guiding principles to support land use policy and regulation include the following:

- ① A balanced mix-of land use allocations.
- ② Utilization of compact community and building design.
- ③ Creation of a range of housing opportunities and choices.
- ④ Creation of walkable communities.
- ⑤ Foster distinctive, attractive communities with a strong sense of place.
- ⑥ Preservation of open space, farmland, natural beauty, and critical environmental areas.
- ⑦ Strengthen and direct development toward existing communities.
- ⑧ Provision of a variety of transportation choices.
- ⑨ Development decisions which are predictable, fair and cost-effective.
- ⑩ Encouragement of community and stakeholder collaboration in development decisions.





### Section 1.3 Issues and Opportunities

The following community issues and opportunities were identified through the public involvement process with respect to community development and rural agricultural preservation. The following are the *community's perceptions of issues and opportunities* for the County.

#### Community Perception – Issues

- Need to preserve rural agricultural lands.
- Limited lands regulated by the County available for transfer of development rights or purchase of development rights.
- Perception of high density development based upon design of development and lack of amenities.
- Need for hospital and medical facilities.
- Insufficient lands zoned for businesses.
- Available land is inappropriately located for business development.
- Development in critical areas that impact natural resources.
- Crowded schools impact the quality of education.
- Need for additional stormwater management facilities.
- Need public access to beaches and waterfront.
- Need for community centers for youth.
- Traffic congestion on major transportation corridors.
- Sprawl in rural agricultural lands.

#### Community Perception – Opportunities

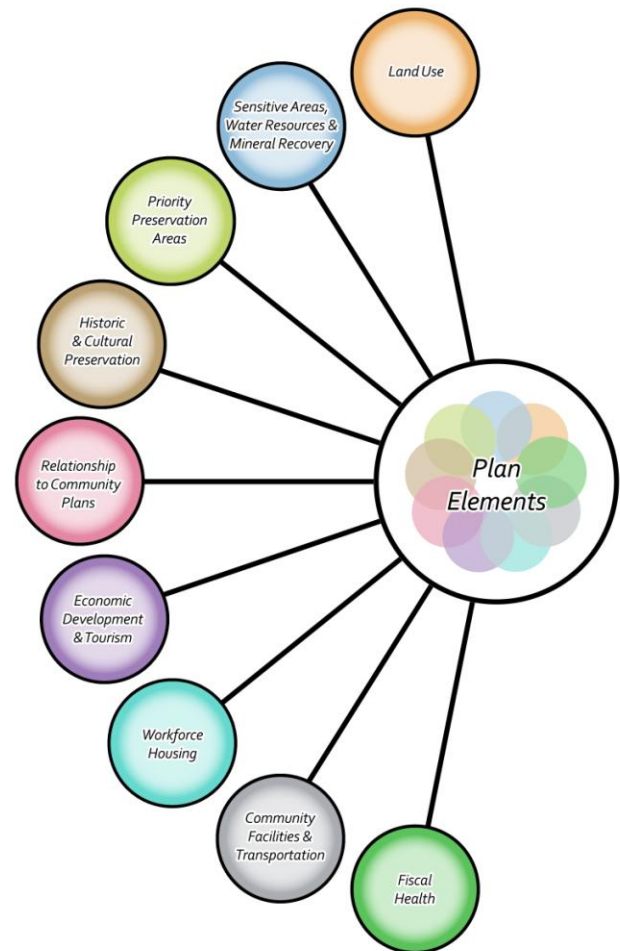
- Pursue more economic opportunities to create local jobs to reduce commuting outside of the County.
- Conduct joint planning efforts between the County and the Towns to further minimize sprawl in rural agricultural areas.
  - Provide incentives for infill development in Towns and County Planning Areas.
  - Collaboratively plan development standards for Town Fringe Areas and establish appropriate zoning and other regulations.
  - Collaborate to determine capacity of Towns.
  - Partner to provide adequate public facilities to support concentrated growth.
- Create a commercial town center for the County.
- Establish sustainable design standards for all types of development.
- Provide connections from residential neighborhoods to commercial and employment centers as well as provide for recreational opportunities such as paths and trails with connections to other amenities.
- Expansion of existing schools and placement of new schools to meet the needs of directed growth.
- Balance the mix of land use allocations to provide economic and fiscal sustainability.
  - Provide additional affordable housing utilizing various land use regulations, developer incentives and through County housing programs.
  - Provide for assisted living facilities to meet the needs of an aging population.
  - Provide additional indoor and outdoor entertainment facilities.
  - Provide incentives to attract technology and research based businesses and industries.
  - Promote agribusinesses, sustainable agriculture and ecotourism.
  - Provide life-long learning opportunities.
  - Provide economic incentives for resource-based industries.

- Expand existing Planning Areas and study the location of new Planning Areas.

## Section 1.4 Relationship between Land Use and Other Plan Elements

The relationship between land use and other plan elements can be described by the following statements with respect to land use decisions:

- Influence the ability to achieve sustainability through **preservation of rural agricultural land uses and historic and cultural resources**, and community development.
- Influence the **amount and timing of infrastructure improvements and community facilities** such as schools, water, sewer and roadways.
- Influence the County's ability to **create a balanced tax base** through a mix of land uses at appropriate locations within the County.
- Impact the ability to preserve rural Agricultural (AG) and Countryside (CS) zoned land by **directing growth to County and Town Planning Areas** to achieve development at acceptable densities.
- Direct growth to Town Planning Areas that is supported by a **County/Town planning and implementation framework** consisting of joint-planning agreements and inter-jurisdictional cooperation and collaboration.
- Determine **impacts on water resources** with respect to non-point and point source pollutants **and sensitive areas** with respect to loss or impacts to forests, wetlands and wildlife habitats.
- Affect **business development opportunities** and contribute to determining the need for workforce housing.
- **Impact the fiscal health** of the County by the classification of land use in relationship to established levels of revenues generated through impact fees, taxation and user fees for public facilities.



## Section 1.5 Population and Land Use Trends & Projections

The connection between the past and the present with respect to population and land use trends lay the groundwork for analysis of development capacity documented in Appendix 5: Build-out Analysis and the desired future land use as depicted in this Element. This section includes key demographics, results of analysis and an inventory of land use.

### Section 1.5.1 State/Regional Population Trends

The following are key State and regional population trends:

- The State experienced an increase in population of 3.56% from 2002 to 2008 (growing from 5.4 million to 5.6 million people) with a projected population of 6.7 million people in the year 2030.



- From 2002 to 2008 the Upper Eastern Shore Region including Queen Anne's, Kent, Caroline, Talbot and Cecil counties experienced a 9.18% increase in population, growing from 216,628 to 236,521 people.
- According to State statistics, over the last several decades the region has seen significant outmigration from older suburban counties with migration to newer suburban counties.

### Section 1.5.2 Queen Anne's County Growth and Preservation Trends & Projections

Indicators are detailed in the Queen Anne's County Trends and Indicators Report, 2009. They note a trend, based on existing land use distributions from the 2002 Comprehensive Plan and zoning from the 2004 comprehensive revisions to Chapter 18, Queen Anne's County Land Use and Development Code, for the amount of development within and outside of designated Planning Areas. The trend indicates an increase in lot size for units created inside and outside of designated Planning Areas (formerly known as Growth Areas) and also the County's incorporated towns that experienced growth. Additionally there is a significant increase in preservation trends as well as changes to land use trends. These trends are briefly referenced as follows.

#### *Changes Inside/Outside of Planning Area (2003-2008)*

- The majority of development is residential with lots averaging 0.22 to 0.93 acres in size.
- There were 569 new residential lots (accounting for approximately 177.2 acres) established inside of the Planning Areas. This is approximately 37% of all new lots created accounting for 10% of the total acreage of all new lots created. Lots within the Planning Area are smaller in size because of public water and sewer service availability, while lots outside of the Planning Area are typically 1 acre or greater, due to the sewerage reserve area and minimal separation distance between on-lot wells and septic systems.
- Municipal growth from 2002 to 2009 resulted in 1,405 acres of County land annexed into town boundaries. Over seven years, this was a 63.5% increase in municipal lands.
- The average density of residential development outside of County designated Priority Funding Areas (PFAs) is 1 dwelling unit per 1.8 acres and the average density inside the County PFAs is 2.8 dwelling units per acre. This development trend falls short of meeting the State's *smart growth goal* of 3.5 dwelling units per acre inside of PFAs.

#### *Preservation/Conservation Trends*

- The County's total land mass consists of 238,337 acres. Of this 206,736 acres (87%) are zoned Agricultural (AG) and Countryside (CS).
- The Agricultural (AG) and Countryside (CS) zoning districts both offer regulations to accommodate preservation of 85% of the total acreage involved with residential cluster subdivision techniques.
- A total of 78,847 acres (33% of the total land area) is preserved through a variety of temporary and permanent preservation programs. Of these lands, 23,445 acres of farmland are preserved in easements with the Maryland Agricultural Land Preservation Foundation (MALPF).
- According to MALPF, Queen Anne's County ranks third among Maryland Counties in the total number of MALPF acres preserved; behind only Carroll and Caroline Counties.
- In the last three years, the County spent approximately \$15 million for land preservation.
- Trends indicate an increase in interest from the farming community to submit applications for consideration for MALPF Easements and the Rural Legacy Program.



### Land Use Trends

- The series of land use/land cover maps provided in this Plan depict changes over time that reflect land use patterns consistent with County planning and preservation efforts (refer to Maps LU-1 through LU-4).
- From 1997 to 2008, the greatest change in land use patterns was in residential and institutional land uses.
- Other changes in land use include land uses such as public parks and recreational land uses and other similar public uses.

### Section 1.6 Sustainable Growth Management Strategy

In summary, the County's strategy is to reduce development encroachment in the rural areas by directing growth to existing population centers located in towns, villages, crossroads, planning areas (growth areas) and/or Priority Funding Areas. The intent is to concentrate growth in existing and new designated population centers with employment opportunities while providing cost effective public facilities and services to meet population needs, reducing impacts of traffic, and reducing impacts on the environment with emphasis on management of water resources.

Strategies for **Sustainable Smart Growth Management include:**

- Prevent destructive and costly rural sprawl;
- Protect rural agricultural and sensitive area lands
- Direct growth to Towns, Planning Areas and new designated population centers;
- Support the County's agricultural economy;
- Use a variety of land management tools and techniques to protect sensitive areas, including, but not limited to, ground and surface water resources; and
- Apply low-impact design or Environmental Site Design (ESD) standards to yield quality development.

The County conducted a scenario planning exercise to identify a preferred future land use with minimal impacts on water resources, sensitive areas and priority agricultural lands within the PPA (Priority Preservation Areas). The results of the scenario planning identified **a**

**rural agricultural area strategy with emphasis on preservation.** This strategy is also identified and analyzed in Section 3.0: Priority Preservation Areas (PPA) Element in this Plan. The results of the scenario planning also suggest the **continuation of directing growth to the County and Town Planning Areas** supported by Priority Funding Area (PFA) designations as a means to fund a variety of community facilities and infrastructure such as water, sewer and roads.

**Community Planning Areas** are geographic areas defined by a community plan or comprehensive plan.

**Growth Areas** are identified as community planning areas as well as areas encompassing existing development within Town boundaries and surrounding their borders.

Land use and water resources are unequivocally linked to the type of land and the intensity of its use will have a strong influence on the receiving surface water resource because of the nutrients and sediments associated with stormwater runoff. Depending upon the type of land use, the impacts on either the quantity or quality of water can be substantial. Increasing population, development pressures, lack of land use planning and competition for water resources can contribute to the



degradation of water resources. Therefore, the combination of regulations, best management practices and a strong sense of stewardship ethic is important in minimizing impacts of land use on water resources. However, in Queen Anne's County when discussing land use, agricultural land preservation is key to environmental, economic and social sustainability

The County's Maximum Capacity Build-Out to the year 2030 and beyond was studied to determine the impacts on environmentally sensitive areas, water resources and community facilities. Those impacts are detailed in Appendix 5: Build-Out Analysis Report. The following identifies those sustainability factors associated with the results of the maximum capacity build-out that should be of concern to the County and its citizens:

- Overall total population and increased number of school aged children;
- Potential loss of agricultural lands and forested lands;
- Increased demand consumption for ground water resources;
- Increasing number of on-lot septic systems;
- Demand for treatment of wastewater;
- Increasing amounts of impervious surfaces; and
- Impacts on community facilities.

Through this analysis of maximum capacity build-out, the County's **sustainable smart growth management strategy** emerged along with two options (Options 1 and 2) for preservation of priority agricultural and sensitive area lands further described in Section 1.6.7 of this element and in Section 3.0: Priority Preservation Areas (PPA) Element.

This **sustainable smart growth management strategy** applies the Twelve Visions of Article 66B, water resource protection strategies and **smart growth principles** that emphasize new growth is to be directed to towns and identified surrounding Planning Areas, County Planning Areas (also referred to as designated Growth Areas (DGAs)) and Priority Funding Areas (PFAs). This planning scenario used the results from the Capacity Analysis Report in Appendix 6 coupled with rural agriculture and sensitive areas preservation strategies to determine the amount of potential development that will need to be directed to existing planning areas to reduce impacts on sensitive areas and water resources as well as maximize preservation opportunities. This analysis and study of future land use takes into consideration the following key components of **sustainable smart growth management** as they relate to Queen Anne's County:

- **Protection of sensitive areas and water resources** applying a variety of tools and techniques such as restricting certain lands from consideration for development that contain features which include floodplains, stream buffers and environmentally sensitive areas;
- **Protection of agricultural lands** for the purpose of achieving the County's Priority Agricultural Land Preservation Goal identified in Section 3.0: Priority Preservation Areas (PPA) Element in order to maximize preservation opportunities. The analysis applies the **alternative rural land use preservation strategy**, which is identified as Option 2 and is outlined in Section 3.0: Priority Preservation Areas (PPA) Element, as part of this analysis. This option accounts for limited on-site development within the Agricultural (AG) and Countryside (CS) zoning districts while considering the Transfer of Development Rights (TDRs) to Planning Areas and other suitable areas where there is capacity or planned capacity for development.





- **Concentrating growth within Planning Areas** at an average density of 3.5 dwelling units per acre while preserving land with the rural agricultural areas using a variety of tools and techniques such as traditional zoning, Transfer of Development Rights (TDRs), Purchase of Development Rights (PDRs) and various preservation incentives as further described in Section 1.0: Land Use Element and Section 3.0: Priority Preservation Areas (PPA) Element.
- Consideration of **adequate public facilities** with respect to water, sewer and transportation improvements.

### Section 1.6.1 Rural Agricultural Area Strategy

The County's **Sustainable smart growth management strategy** aims to reduce development encroachment in the **rural agricultural areas** by directing growth to existing population centers located in County and Town Planning Areas and/or Priority Funding Areas. This strategy emphasizes preservation of rural agricultural areas and sensitive areas, including water resources, using a variety of land use management tools and techniques listed below, and as further described in Appendix 3: Water Resources Analysis and Best Management Practices Tool Kit, Table 10-2:

- Designation of Priority Preservation Areas (PPA) that includes undeveloped lands zoned Agricultural (AG) and Countryside (CS), as identified in Section 3.0: Priority Preservation Areas (PPA) Element;
- The Transfer of Development Rights (TDRs) from undeveloped lands zoned Agricultural (AG) and Countryside (CS) to County and Town Planning Areas;
- Purchase of Development Rights (PDRs) from Agricultural (AG) and Countryside (CS) zoned lands;
- Land Preservation Programs to protect agricultural lands and sensitive areas;
- Resource Management Practices and Plans for a variety of natural resources such as wetlands, floodplains, waterways, forests and wildlife habitats;
- Floodplain Regulations that restrict development within the 100-year floodplain for the purpose of public safety as well as to reduce impacts on water quality and for improved stormwater management;
- Cluster Development Standards to preserve agricultural lands and sensitive areas;
- Conservation Easements to protect sensitive areas;
- Agricultural Best Management Practices to protect waterways and sensitive areas from non-point source pollutants and other impacts;
- Preservation and Restoration of Riparian Buffers to provide wildlife habitats and improve waterways as well as to utilize these areas to filter stormwater runoff; and
- Stormwater Management Environmental Site Design to reduce the volume of runoff and impacts to water quality.

#### PPA Preservation Goal & Key Tools

- Currently, the County has 78,847 acres of conserved land, and of that 69,093 acres are permanently preserved.
- 80% of undeveloped land that may have capacity for preservation within the PPA is approximately 95,203 acres.
- Preservation of a total of 100,000 acres by 2030 as stated in the County's MALPF Certification provided there are sufficient funds to purchase permanent easements augmented by other preservation tools to achieve this goal.
  - Use a variety of zoning techniques to protect priority lands from development.
  - Use new techniques such as voluntary County Agricultural Preservation Districts, the Critical Farms Program, and enhanced Purchase of Development Rights (PDR) program.



The emphasis of this strategy is to provide proper incentives and regulation to support the preservation and conservation of rural agricultural areas and to utilize transfer of development rights from rural agricultural areas to County and Town Planning Areas and Purchase of Development Rights (PDR) in order to meet County Priority Preservation Area goals and State sustainable smart growth goals.

### Section 1.6.2 Planning Areas

The County and Town's designated Planning Areas provide opportunities for the expansion and enhancement of existing communities that grew around historic settlements. These historic settlement patterns reflect a variety of architectural styles and housing types, mix of land uses, employment opportunities, public facilities and cultural and historic experiences. It is these historic settlements referred to as communities and towns that provide an appropriate place in which to direct new growth supported by the location and expansion of various public facilities, providing a place offering entertainment and recreation, and that in so doing will facilitate preservation of the rural agricultural areas across the County. Section 5.0: County/Town Planning Framework Element describes in more detail the various strategies for Town/County collaboration, Joint Planning Agreements (JPAs) and participation.

The County's strategy is to work with the Towns to concentrate growth in existing and new population centers. The population growth would be accompanied by employment opportunities with the intent that cost effective public facilities and services will be provided to meet population needs, resulting in a reduction of traffic impacts, and reduction in the impacts on the environment with an emphasis on management and protection of water resources.

Queen Anne's County **sustainable smart growth management strategy** anticipates the projected increase in population will be accommodated through planning and implementation tools such as Joint Planning Agreements (JPAs) with the County's incorporated municipalities, Transfer Development Rights (TDR) program, Purchase Development Rights (PDR) program, Adequate Public Facilities Ordinance (APFO), Tax Incremental Financing (TIF), and the provision of cost effective infrastructure. Other tools will also be developed to assure that growth will not exceed the County's capacity to manage it sustainably.





**Table 1-2: Planning Area Characteristics to Support Sustainable Smart Growth Strategy**

Planning Area	Type of Development Pattern Characteristics
<b>County Planning Areas</b>	
Chester/Stevensville	Mixed Land Use Patterns (Infill, Redevelopment and Specified New Development)
Kent Narrows	Mixed Land Use Patterns (Infill and Redevelopment)
Grasonville	Growth & Development (Infill, Redevelopment and New Development)
<b>Town Planning Areas</b>	
Centreville	Growth & Development (Infill, Redevelopment and New Development)
Queenstown	Growth & Development (Infill, Redevelopment and New Development)
Church Hill	Growth & Development (Infill, Redevelopment and New Development)
Sudlersville	Growth & Development (Infill, Redevelopment and New Development)
Barclay	Growth & Development (Infill, Redevelopment and New Development)
Millington	Mixed Land Use Patterns (Infill and Redevelopment)
Templeville	Growth & Development (Infill, Redevelopment and New Development)
Queen Anne	Mixed Land Use Patterns (Infill and Redevelopment)

*Source: County/Town Community Plans*

## Section 1.6.3 Priority Funding Areas (PFAs)

The State's "Smart Growth Area" Act of 1997 enables local jurisdictions to designate Priority Funding Areas (PFAs) with boundaries drawn on a PFA map using supporting zoning classifications that provide a minimum residential density of 3.5 dwelling units per acre, non-residential zoning, and public water and sewer service criteria as articulated in the Act. Locally designated PFAs require certification from the Maryland Office of Planning. Certified areas are included as part of the State PFA maps that are used by State funding agencies to determine State funding eligibility. Refer to Map LU-6: County/Town Planning Areas and Priority Funding Areas for the Queen Anne's County designated PFAs.

The following are key points with respect to PFAs and the **Relationship to Comprehensive Land Use Planning**. Local jurisdictions may designate PFAs based on land use, public water and sewer service, and the residential density criteria established in the Act. A PFA designation represents:

- A locally defined area (that can correspond to the boundaries of a Planning Area) which is determined by the County or municipality to be suitable for development in compliance with Article 66B, and as identified in a Comprehensive Plan.
- These areas:
  - Are determined to contain the amount of land needed to accommodate the projected population growth at densities consistent with the State's criteria of at least 3.5 dwelling units per acre.
  - Are identified in the Comprehensive Water and Sewerage Plan (CWSP) for service.
  - Are identified based upon projected population growth.
  - Are at a location, size, land use and zoning consistent with the Comprehensive Plan.
  - Are planned for a full range of public services.
  - Provide sufficient space, public facilities and amenities to discourage the expansion of sprawl and strip retail development.
- A long-term development policy for orderly growth and an efficient use of land and public services by directing growth to these designated areas.



The following PFAs located within the County were established shortly after the 1997 adoption of the Act.

**Table 1-3: County and Town Priority Funding Areas (PFAs)**

County Designated PFAs	Town Designated PFAs
Portions of Chester/Stevensville Planning Area	Queenstown
Portions of Kent Narrows Planning Area	Centreville
Portions of Grasonville Planning Area	Church Hill
Areas Zoned Industrial as of 1997 and in the CWSP	Sudlersville
	Queen Anne
	Templeville
	Millington
	Barclay

## Section 1.6.4 Framework to Establish New Planning Areas

In creating this Plan, the results of community input from the Citizen Advisory Committee (CAC), Topic Committees and the Queen Anne's County Blue Ribbon Panel on Smart Growth and Rural Development were used to establish a framework for new Planning Areas. The following planning principles considers the County's policies for preservation of rural agricultural lands, sensitive areas and directing growth to Planning Areas that are supported by public facilities such as water, sewer, roads and other amenities.

- Preserving equity in farmland;
- Decreasing the number of new dwelling units in the Agricultural (AG) and Countryside (CS) districts; and
- Developing environmental and design standards.

Study and identification of new Planning Areas must be conducted within the framework for County/Town planning established in Section 5.0: County/Town Planning Framework Element based upon continuous, comprehensive and collaborative planning.



### Section 1.6.5 Impacts on Water Resources

The analysis of the impacts on water resources from nitrogen and phosphorus nutrient loadings associated with stormwater runoff from various land use classifications is outlined in Appendix 3: Water Resource Analysis and Best Management Practices Toolkit. This analysis indicates that although agricultural uses result in greater nutrient loadings to surface water resources than very low and low density residential uses, the best comprehensive land use approach is to achieve a mix of uses at appropriate locations accompanied by the application of various agricultural best management practices, along with growth management practices, tools and techniques. These tools and techniques have been identified for various landscapes across the County. Proper application of these tools and techniques results in minimal impacts on water resources and sensitive areas. For example:

- A variety of land use management tools and techniques can result in compact quality development in County and Town Planning Areas resulting in higher levels of preservation of rural agricultural lands so that there is less impervious surface within a watershed and overall lower levels of stormwater runoff.
- A variety of stormwater best management practices such as use of non-structural solutions create less impervious surfaces resulting in improved water quality and reduction of runoff.
- A variety of innovative technology can be utilized for both on-lot septic systems and public sanitary sewer systems to reduce levels of nitrogen and phosphorus that adversely impact waterways.

### Section 1.6.6 Preferred Land Use Allocations and Land Use Classifications

The preferred land use allocations presented in this Plan were created through a collaborative process with the community, accompanied by detailed planning analysis. This analysis included conducting a capacity calculation using a methodology to determine the maximum build-out capacity under current zoning. In reviewing this maximum capacity calculation, it was determined that adjustments were desired in order to preserve the **quintessential rural character of the County**. Additionally, with the use of sustainable planning techniques that were employed in the crafting of the Sensitive Areas and Water Resources Element and the Priority Preservation Element of this Plan, **sustainable smart growth management** could be achieved with the preferred land use allocation.

Sustainability factors include the County's agricultural land preservation goal, policies and programs identified in Section 3.0: Priority Preservation Areas (PPA) and protection of sensitive areas including but not limited to water resources identified in Section 2.0: Sensitive Areas, WRE and Mineral Recovery. Those factors include the following:

#### **Priority Preservation Areas**

The rural agricultural land use preservation strategy focuses on:

- Creating a strong, sustainable rural community, full of diverse agricultural opportunities including forest crops, row crop, viticulture and a wide array of agriculture alternatives;
- Promoting and protecting agriculture through rural preservation that sustains rural values and lifestyles;
- Maintaining the rural character of small towns, Country roads and open spaces;
- Retaining and protecting productive farmlands, historic farmsteads, coastal marsh and forested land and pristine landscapes throughout the county; and
- Advancing specialty farming industries and markets.



To implement this strategy consideration must be given to:

- Preservation of 80% of the remaining undeveloped and unencumbered lands contained within the Priority Preservation Area (PPA);
- The techniques utilized with development of rural agricultural areas, such as cluster development and the accompanying creation of deed restricted open space, as well as encumbering other land with preservation easements and through Transfer of Development Rights (TDRs) and Purchase of Development Rights (PDR). Rural agricultural areas are identified on Map LU-7A: Comprehensive Plan Map – Countywide Land Use.

### **Protection of Sensitive Areas (including water resources)**

The strategy for protection of sensitive areas including water resources focuses on:

- Protection and preservation of sensitive lands such as: streams, wetlands and their buffers; 100 year floodplains; habitats of threatened and endangered species; steep slopes; agricultural and forest lands intended for resource protection or conservation; and other areas in need of special protection.
- Directing growth to the County and Town Planning Areas in order to minimize impacts on undisturbed sensitive areas contained within the rural agricultural areas and Critical Areas.
- Applying agricultural best management practices, land management and design tools and techniques to protect sensitive lands and to reduce impacts on water resources.
- Utilize low-impact design or Environmental Site Design (ESD) standards for development occurring in all landscapes across the County.

### **Comparison of Land Use Allocations**

A comparison between the preferred Land Use Allocation as identified on Map LU-7A: Comprehensive Plan Map – Countywide Land Use of this Plan when compared to the related map in the 2002 Comprehensive Plan Map LU-1 (*refer to the 2002 Plan to view this map*) indicates changes for all land use allocations. This comparison reflects a continued transition of rural agricultural areas to established residential areas, rural business/employment areas and County/Town Planning Areas. This is in part because the 2002 allocation was based upon zoning while the 2010 allocation is based upon actual development along with zoning. Due to this method used in determining 2010 allocations, there are changes reflected in several of the allocation types.

**Table 1-4: Comparison of Land Use Allocations 2002 - 2010**

Land Use Allocations	2002 Future Land Use Allocations*	2010 Future Land Use Allocations**	Percent Change
Established Residential Areas	7%	8%	+1%
Rural Business / Employment Areas	1%	3%	+2%
Rural Agricultural Areas	61%	54%	-7%
Permanently Preserved Lands	25%	26%	+1%
County / Town Planning Areas	5%	8%	+3%
Incorporated Towns	1%	1%	0%
<b>TOTAL</b>	<b>100%</b>	<b>100%</b>	

\*Refer to 2002 Comprehensive Plan, Map LU-1 – Land Use Allocation and 2010 Comprehensive Plan

\*\*Refer to 2010 Comprehensive Plan, Map LU-7A – Comprehensive Plan Map: Countywide Land Use



Table 1-5: Description of Land Allocations using Land Use Classifications describes each of these allocations as they relate to land use classifications. Refer to Map LU-7A for planning areas and rural land use allocations.

**Table 1-5: Description of Land Allocations using Land Use Classifications**

Land Allocations	Land Use Classifications
<b>Incorporated Towns</b>	Residential – Low, Medium and High Densities
	Commercial
	Industrial
	Institutional
	Open Space/Recreation
<b>County/Town Planning Areas</b>	Residential – Low, Medium and High Densities
	Commercial
	Industrial
	Institutional
	Open Space/Recreation
	Agriculture within Town Fringe Area
<b>Rural Business / Employment</b>	Commercial
	Institutional
	Industrial
<b>Established Residential Areas</b>	Very Low – Low Density Residential
<b>Permanently Preserved Lands</b>	Agriculture
	Forest
	Environmentally Sensitive Areas
<b>Rural Agricultural Lands</b>	Agriculture
	Forest
	Residential – Very Low Residential



### Section 1.6.7 Assessment of Capacity to Manage Growth

Achieving sustainable smart growth through preservation of rural agricultural land and protection of water resources and environmental sensitive lands can be accomplished through application of a variety of land use/land management strategies. These strategies emphasize infill and redevelopment opportunities, and rural land preservation using Purchase of Development Rights (PDR) and Transfer of Development Rights (TDRs) that directs development into future Town Annexation areas and County Planning Areas.

The dwelling unit capacity analysis is detailed in Appendix 6: Capacity Analysis for the Defined Planning Path. This analysis supports achieving the goal of *encouraging land uses and infrastructure improvements that will protect our waterways, conserve our natural resources and support sustainable and responsible agriculture* as identified on Map LU-7A: Comprehensive Plan Map: Countywide Land Use and quantified in Table 1-4. This analysis provides the basis for land use policies contained in this Plan Element and that are further supported by policies contained in other Elements.

#### Section 1.6.7.1 Infill Development Strategy

Infill development strategies support the goal to direct growth in County Planning Areas where public investment has been made for infrastructure. These Planning Areas are also designated as State Priority Funding Areas (PFAs), where the zoning must allow a minimum density of 3.5 dwelling units per acre. In order to meet the County's agricultural preservation goals outlined in Section 3.0: Priority Preservation Area (PPA), future development in these Planning Areas must at least meet the minimum density standard. Infill development is development that takes place on vacant, undeveloped or underutilized parcels within an area that is already characterized by development, such as the County's Planning Areas.

Under current zoning in the County Planning Areas, the estimated potential infill dwelling unit capacity is identified in Table 1-6 on the following page. This infill dwelling unit capacity accounts for development within County Planning Areas on vacant and unimproved lots in approved subdivisions, and estimates build-out on the remaining undeveloped land by applying the highest permitted density under the existing zoning. This analysis indicates the potential for 1,917 dwelling units as infill development in existing approved subdivisions and the potential for 2,208 new dwelling units on undeveloped land with a total of 4,125 dwelling units in the County Planning Areas of Chester/Stevensville, Kent Narrows and Grasonville. Refer to Map 1 in Appendix 6.

Infill development strategies include redevelopment opportunities. The Dwelling Unit Infill Development Capacity Analysis that generated the data for this Table does not include redevelopment opportunities, for which such projects could exceed the existing densities on improved parcels.



**Table 1-6: County Planning Area Infill Dwelling Unit Capacity**

County Planning Areas	Planning Area Characteristics	Planning Area Potential Based Upon Current Zoning			
		Vacant Lots in Subdivisions Platted Prior to 2002*	Unimproved Lots in Subdivisions Approved Since 2002*	Potential New Dwelling Units on Undeveloped Land	Acres Available for New Subdivision on Undeveloped Land
Chester/Stevensville	Mixed Land Use Patterns (Infill, Redevelopment and Specified New Development)	94	1,769**	941	306.39
Kent Narrows	Mixed Land Use Patterns (Infill and Redevelopment)	0	0	11	1.05
Grasonville	Growth & Development (Infill, Redevelopment and New Development)	21	33	1,256	424.01
<b>Total Capacity of County Planning Areas</b>		<b>115</b>	<b>1,802</b>	<b>2,208</b>	<b>731.45</b>

\*Vacant lots in subdivisions and unimproved acre lots of record.

\*\*Four Season's Development Proposal – 1,350 Units are included in the total count.

Notes: Dwelling units can consist of apartments, single-family dwellings, townhouses and condominiums.

•All vacant properties associated with subdivisions were estimated to have one development right.

•Properties that were improved and less than 0.5 acre after wetlands were removed were not considered to have further development potential.

•Redevelopment was not considered in this analysis.

•Improved properties with split zoning would be considered to be improved twice. (Approximately 20 split zoned properties).

## Section 1.6.7.2 Rural Land Preservation Strategy Using TDRs & PDRs

In order to achieve the preservation goals established in Section 3.0 Priority Preservation Area (PPA), an assessment of the ability to successfully manage growth using a viable TDR and PDR program considers the following:

- The potential number of TDRs within the PPA which is based on the remaining undeveloped lands, which are thus available for preservation, and are zoned Agricultural (AG) and Countryside (CS) comprises approximately 119,004 acres, as identified in Table 1-7;
- The potential capacity within Town Planning Areas to receive TDRs is identified in Table 1-8;
- The establishment of minimum build-to densities for zoning districts in County and Town Planning Areas;
- The capacity for development in County Planning Areas where investment of infrastructure has been made;
- The capacity for municipal growth based upon annexation and the expansion of infrastructure; and
- The potential for a new Planning Area(s) where additional infrastructure investment will occur.





Preservation of rural agricultural lands may be achieved through various options that make use of different ratios for utilizing TDRs to send development rights to County Planning Areas provided that smart growth Priority Funding Area (PFA) densities of 3.5 dwelling units per acre are achieved. For example, a scenario may use a ratio wherein new construction on lands within the Planning Areas would be permitted 50% by-right development based on their current zoning and have to obtain the remaining 50% development by acquiring TDRs, or the requirement may be 60% by right units and 40% TDRs. Nevertheless, to achieve the rural agricultural land preservation goals of this Plan, no dwelling units may be developed without employing a ratio of by-right development rights and TDR development rights.

This approach requires refinement of the County's current TDR and PDR program in conjunction with the potential use of additional tools in order to achieve the land preservation goals. These tools include, but are limited to:

- Joint Planning Agreements with Towns to establish TDR receiving areas accompanied by the provision of public facilities and infrastructure to support development;
- Land banking of receiving areas;
- Continued use of the PDR Program and Critical Farms Program to purchase and retire development rights;
- Continued use of MALPF funds for preservation; and
- Enhanced PDR and TDR Programs.

The following summarizes the assumptions used to determine the potential number of TDRs for rural agricultural lands zoned Agricultural and Countryside under two preservation options:

- **Option 1** – Application of *rural land use preservation strategy* using a cluster development technique:
  - 85% of property is preserved by deed restricted open space;
  - 1 dwelling unit per 8 acres up to 5 units is clustered on 15% of the parcel, with new lots varying in size due to environmental constraints and Environmental Health Department requirements for on-site sewerage disposal systems; and
  - All development rights may be transferred from the parcel.
- **Option 2** – Application of *alternative rural land use preservation strategy* with the following assumptions:
  - on-site development density at 1 dwelling unit per 20 acres on parcels up to 100 acres, with a limit of 5 units, which includes any existing dwellings;
  - farm employee dwelling units are excluded;
  - new lots are clustered, with an average minimum lot size that meets the Environmental Health Department requirements for on-site sewerage disposal systems, and the remaining portion of the parcel is placed in deed restricted open space; and
  - for parcels that are greater than 100 acres, after on-site development at 1 unit per 20 acres, the remaining acreage is calculated at a density of 1 unit per 8 acres for TDRs in keeping with the PPA Preservation Goal.

Note: The above are assumptions for the purpose of calculating various rural land use preservation strategy options as further described in Section 3.0: Priority Preservation Areas Element. The assumption for average size of new lots (approximately 1.25 acres) is for purposes of assessing Option 2 and is not an existing or recommended zoning regulation.



**Table 1-7: Potential Number of TDRs for Areas within the Designated PPA**

Preservation Option	Area Description	Acres	Maximum TDR Sending Rural Agricultural Lands	TDR Sending Rural Agricultural Lands Preservation
Option 1	Acres within Entire Designated PPA Available for TDRs utilizing 1 unit/8 acres	119,004	14,876 DUs	NA
Option 2	Acres Available for TDRs after each parcel utilizes available 1 unit /20 acre development rights (equaling approximately 2,674 development rights with each parcel having a maximum of five rights in AG/CS Districts )	42,498*	NA	5,266 DUs

*\*Utilizes a TDR density calculation of 1 unit/8 acres. DU=Dwelling Units.*

*Note: The 2,674 development rights were calculated using the County's GIS data including the parcel layer based upon assumptions presented in Option 2. Refer to Map ESA-10: Designated Priority Preservation Areas.*

Table 1-7 identifies the number of potential TDRs within the County's designated PPA based upon the previously described strategy options for preservation of rural lands. Table 1-8, on the following page, identifies the potential for TDR receiving capacity within the areas identified by incorporated Towns for annexation. Map LU-6 identifies current incorporated Town boundaries as well as identified annexation areas within Town Fringe Areas.

### Section 1.6.7.3 Development in Future Town Annexation Areas Strategy

Future Town Annexation Areas are identified in Town Municipal Growth Areas for the purpose of managing future growth. These areas have been identified as the Town Fringe or areas for future upzoning (an increase in density associated with zoning from County's Agricultural (AG) or Countryside (CS) Districts to a Town Zoning District). In order for the County to implement a viable TDR Program, these lands need to be designated as TDR Receiving Areas. Table 1-8 identifies the potential development capacity or TDR receiving capacity within the Town Fringe (future annexation areas).

When comparing the potential TDRs sending from rural agricultural lands applying the options for land preservation in the previous section, the opportunity to receive TDRs within the Town Fringe Annexation Areas depends upon a development density and zoning density of 3.5 units per acre. The Town Fringe Areas as identified in Town Municipal Growth Elements can easily accommodate the potential 5,266 dwelling units that could be transferred under Option 2. The maximum estimated TDR dwelling units to be received within the Town Fringe Areas is approximately 9,318 dwelling units, which falls short of the potential 14,876 dwelling units if all rights are transferred from rural agricultural lands under Option 1. If the desire is to reach the maximum amount of preserved rural land under Option 1, the County's Planning Areas would need to receive approximately 3,879 TDRs, or there would be a need to explore further expansion of Planning Areas, or creation of additional Planning Areas; or achieve densities higher than 3.5 dwelling units per acre within Planning Areas.

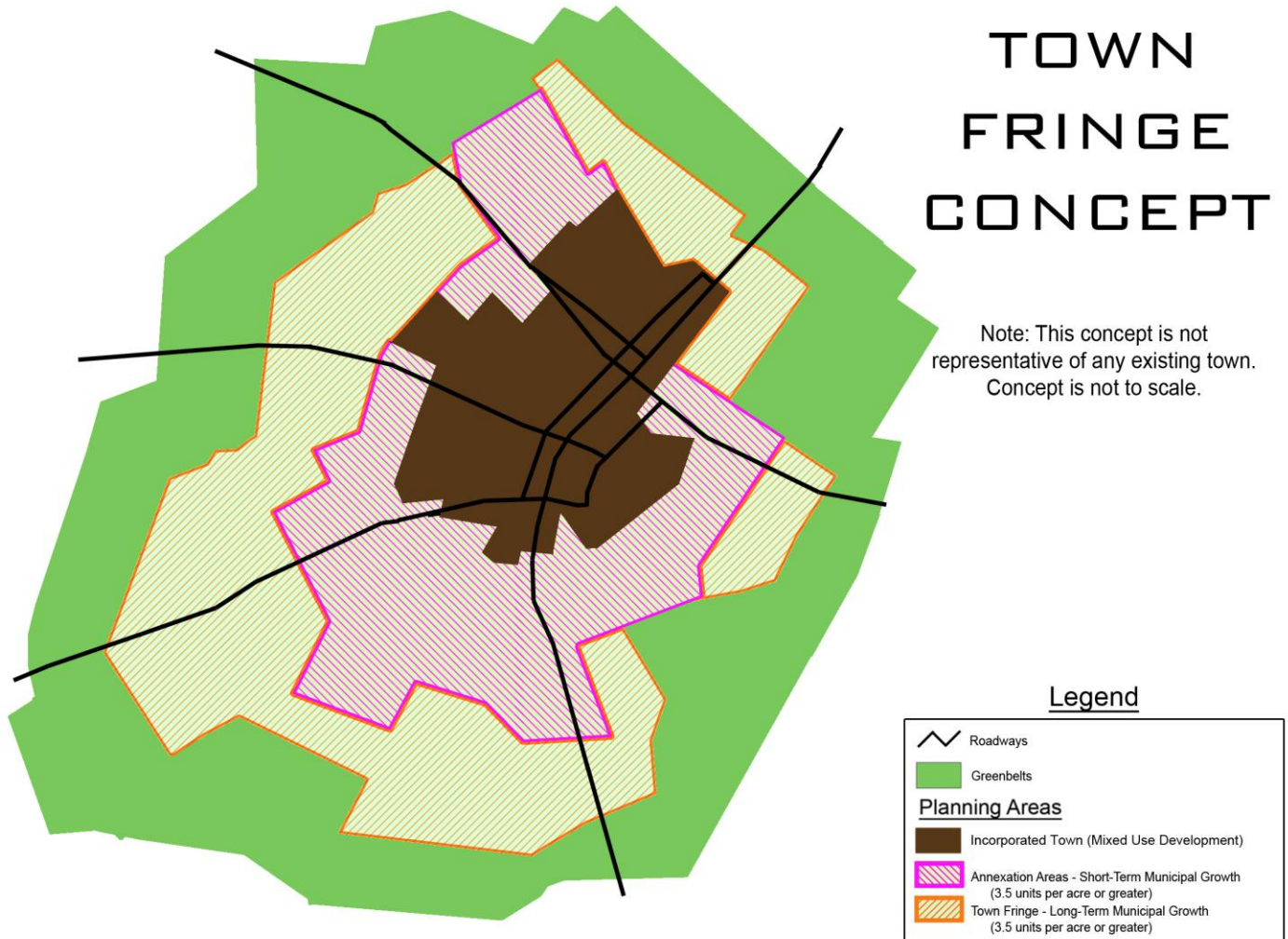


**Table 1-8: Potential Development Capacity or TDR Receiving Capacity in Future Annexation Areas and Town Fringe**

Planning Area and Municipality	Column A: Planning Area and Municipal Growth Strategies	Acres in Annexation Areas and Town Fringe	Column B: Capacity Applying Smart Growth Density of 3.5 Units/Acre (Town Fringe or Annexation Area)	Column C: Development Capacity Allowed under County Density 1 Unit / 8 Acres*	Column D: Net (Column B-C) Dwelling Units
<b>Incorporated Towns</b>					
<b>Centreville</b>	Capacity to receive growth is planned.	1,720 acres	4,967 units*	215 units	4,752 units
<b>Queenstown</b>	Capacity to manage growth is based upon transfer of development rights within Planning Area.				
<b>Church Hill</b>	Capacity to receive growth is planned.	226 acres	791 units	28 units	763 units
<b>Sudlersville</b>	Capacity to receive growth is planned.	345 Acres Inner Loop	1,208 units	43 units	1,165 units
		675 acres Outer Loop	2,363 units	84 units	2,279 units
<b>Millington</b>	No capacity to receive growth is planned in Queen Anne's County. Town is also in Kent County.				
<b>Templeville</b>	Limited capacity to receive growth is planned in Queen Anne's County. Town is also in Caroline County.	30 acres	105 units	3 units	102 units
<b>Barclay</b>	Capacity to receive growth is planned.	76 acres	266 units	9 units	257 units
<b>Queen Anne</b>	No growth is planned in Queen Anne's County.				
<b>TOTAL CAPACITY</b>		<b>3,072 acres</b>	<b>9,700 units</b>	<b>382 units</b>	<b>9,318 units</b>

\*Column C reflects the number of potential dwelling units based upon existing density for County zoned land prior to annexation and Town upzoning. (Refer to Section 3.5, Goal 2, Objective 2, Recommendation 2.b.)

Figure 1-1: Town Fringe Concept Diagram



The following provides key terms when interpreting Table 1-7 and relevant maps and figures.

- **County/Town Planning Area** (also known as *Growth Area* and/or *Community Planning Area*) is a geographical area defined as the “designated growth area” in a community plan or comprehensive plan (Refer to Map LU-6: County/Town Planning Areas and Priority Funding Areas).
- **Annexation Areas** are areas identified in the Town Plans and their accompanying Municipal Growth Element (MGE) and recognized by the County for short-term expansion of the incorporated Town boundary (Refer to Figure 1-1).
- **Town Fringe** is an area of transition between a Town boundary along with its accompanying annexation areas and a rural buffer or greenbelt. This fringe is intended to be reserved for long-term annexation to protect opportunities for future growth and development (Refer to Figure 1-1).



### Section 1.7 Sustainable Indicators and Measures

The following is a comprehensive listing of sustainable indicators and measures as they relate to the Land Use Element and its relationship to other Plan Elements. These sustainability indicators should be measured and evaluated over time to determine community impact with respect to meeting the Land Use vision and goals.

#### **Resource Conservation & Environmental Protection**

- Surface water quality, and the quality and quantity of drinking water sources.
- Percentage of environmentally sensitive lands preserved and conserved.
- Loss of agricultural lands.
- Loss of wetlands.
- Development within Critical Areas.

#### **Agricultural & Rural Preservation**

- Interest of residents and County to support the allocation of annual funding for agricultural land preservation (general society willing to pay fair share).
- Percentage of designated agricultural land that is permanently preserved.
- Reduced environmental impacts on waterways due to technology, best management practices and agricultural practices.
- Achieving the goal to preserve at least 80% of the agricultural lands available for preservation, with the potential for a maximum of 85%, in designated Priority Preservation Areas (PPAs).

#### **Business & Economic Development**

- Evaluation of total amount of commercial/industrial taxes paid annually.
- Assessment of tax base through County Income Tax and County Business Tax.
- Diversified employment opportunities which provide a steady County economy during a variety of economic climates.
- Reduction in commuters going out of the County for employment.
- Unemployment rates and changes over/time less than the region and state.
- Median household income comparable to the region and state.
- Educational levels that meet the needs of local and regional employers.
- Tracking of the number of business and number of employees across various employment sectors.

#### **Town/County**

- Number or percent (%) of residential permits issued in Priority Funding Areas (PFAs) and Designated Growth Areas (DGAs) versus other areas of the County.
- Square footage of commercial space built within PFAs and DGAs versus the rest of the County.
- Preservation of farmland outside of PFAs and DGAs.
- At least 80% of growth in PFAs and DGAs.
- Review and evaluate through Annual Reporting.





### Section 1.8 Goals, Objectives and Recommendations

This section identifies various goals, objectives and recommendations that will contribute to smart growth management, land preservation of agricultural and forested lands, green building, and Town/County government collaboration to achieve the land use vision for the County.

*The **Overarching Goal** for the Land Use Element is to adopt policies, legislation, regulations, enforcement, procedures, incentives and appropriate funding necessary to encourage infrastructure that will protect our waterways, conserve our natural resources and support sustainable and responsible agriculture.*

#### Goal 1: Growth Management, Regulations, Design/Land Use

**Objective 1:** Review current site design standards to further promote environmental protection, landscaping and aesthetics as well as seeking to preserve scenic beauty, vistas, viewsapes, and un-fragmented forestland and farmland through compact residential design.

#### Recommendations:

1. Continue to promote “scenic byways” with consideration of land use and design tools to ensure the corridors retain their beauty and scenic characteristics (potentially US 301 and MD 544, currently MD 213 and MD 18 are Scenic Byways) and continue to participate in the State’s Scenic Byways Program.
2. Establish design standards that will preserve vistas, viewsapes, and un-fragmented farmland that include:
  - a. Screening;
  - b. Setbacks;
  - c. Sign guidelines to preserve scenic appearance of the corridor;
  - d. Enhanced buffer yard requirements along major transportation corridors;
  - e. Contiguous clustered lots and provide for efficient road and lot design;
  - f. Open space required by subdivisions to remain viable for agricultural practices.
3. Create a Route 50 Corridor Plan that considers buffer, signage and architectural standards.
4. Develop Eastern Shore vernacular design standards for highway/retail commercial. Identify vernacular and create pattern book.
5. Utilize innovative stormwater management techniques that incorporate Environmental Site Design (ESD).
6. Develop conservation-by-design standards consistent with public safety standards.
7. Discourage residential development along major transportation corridors.
  - a. Noise is inappropriate for residents.
  - b. Traffic congestion is greater.
8. Review interrelation of forest protection, forest mitigation and landscape requirements to improve residential and non-residential site design.

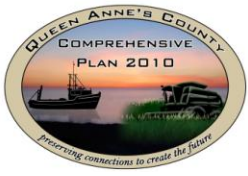


**Objective 2:** Allow growth in existing Planning Areas and provide for the designated new Planning Area(s) for purposes of preserving equity in farmland, decreasing the potential number of new units in the AG and CS districts, and developing environmental and site design standards.

### Recommendations:

1. Promote planned neighborhood development as a village that results in reduced environmental impacts.
2. The following items a, b, c and d shall be considered holistically. Existing zoning and other laws remain in place before any changes are made to land use or code while a new Transfer of Development Rights (TDR) program is planned, approved, and implemented, and functional receiving areas are established.
  - a. Designate new County Planning Area(s) or other Planning Area around existing towns with the following characteristics:
    - i. Development in New Planning Area(s) shall require the purchase of TDRs or Noncontiguous Development Rights (NCDs);
    - ii. New Planning Area(s) shall be planned, in coordination with recommendations already approved, in terms of size and the number of TDR's required for different types of residences, to have the capacity to absorb the TDRs or NCDs confirmed for Agricultural (AG) and Countryside (CS) zoned properties not including rights that may be transferred using other means such as Maryland Agricultural Land Preservation Foundation (MALPF), Rural Legacy, Purchase of Development Rights (PDR), etc.;
    - iii. New Planning Area(s) shall be planned to respect greenbelt and open space commitments of towns, while appropriately linked to towns to give New Planning Area(s) residents access to businesses, schools and public services;
    - iv. New Planning Area(s) shall be planned to respect scenic vista set-backs from highways and shall require community designs consistent with the rural, small town character of the Eastern Shore; and
    - v. Conduct a cost/benefit analysis which considers shared government financing options for the necessary infrastructure including water, sewer, roads and schools.
  - b. Confirm TDRs, PDRs and NCDs on the basis of 1 dwelling unit per 8 acres for all Agricultural (AG) zoned land and all Countryside (CS) zoned land not in the Critical Area.
  - c. Review the need to eliminate the ability to transfer NCDs in the Agricultural (AG) and Countryside (CS) zoning districts.
  - d. The total number of units eligible for development in the AG and CS zoning districts shall not exceed the number of units that otherwise could be developed as minor subdivisions using a density calculation of 1 dwelling per 20 acres. Major subdivisions may be permitted in the AG and CS districts, only if the development rights in excess of minor subdivision limits are transferred from those otherwise eligible for minor subdivisions.
3. To promote the prompt implementation of these recommendations, the Planning Commission commits itself to recommend the adoption of a new TDR Program within eighteen months of the date of the adoption of this Plan.





**Objective 3:** Support family farming by continuing to implement the zoning tools for lot line adjustments and sliding scale subdivision.

**Recommendations:**

1. Continue to allow sliding scale subdivision at the current allowed density of 1 lot per 100 acres or part thereof.
2. Continue to allow administrative subdivisions that permit adjusting lot lines that do not create new lots.

**Objective 4:** Seek to protect Critical Areas.

**Recommendations:**

1. Do not allow classification changes in Critical Areas except for:
  - a. designated Planning Areas;
  - b. a public service need is demonstrated;
  - c. existing and future institutional uses; or
  - d. where there is no net increase in intensity.
2. Establish shoreline buffers on Critical Area parcels in accordance with State legislation and requirements.
3. Within the Agricultural (AG) and Countryside (CS) zoning districts, no new development within the 300 foot buffer is permitted, except where grandfathered by provisions in Chapter 14, or unless a hardship is demonstrated.
4. When Critical Area Transfer of Development Rights (TDRs) is used, both sending and receiving parcels must provide established buffer areas consistent with adopted State regulation.
5. No growth allocation granted, outside of designated Planning Areas, to create Intensely Developed Areas (IDA), except for institutional and public service uses.

**Objective 5:** Promote energy efficient buildings.

**Recommendations:**

1. Consider State and National standards for constructing green buildings when promulgated.
2. Consider the application of Leadership in Energy and Environmental Design (LEED®) standards or other innovative energy saving technologies for public and commercial buildings.

**Objective 6:** Improve design standards to include innovative energy and environmentally sustainable elements.

**Recommendations:**

1. Explore and research sustainable and resource conservation codes to identify opportunities appropriate for use in Queen Anne's County.
2. Create a vision of desirable types of innovative energy and environmentally sustainable developments.
3. Consider increased density rewards for innovative and environmentally sustainable residential and commercial developments.



**Objective 7:** Explore the prospect of creating a pilot project using a shared wastewater system to achieve better rural design as well as concentrated development in any new Planning Areas.

**Recommendations:**

1. Any such pilot project would need to be a public utility operated by a government entity.
2. A shared facility ordinance may be required.

**Objective 8:** Proactively manage growth that reflects the County's vision and adequately provides for thoughtful growth.

**Recommendations:**

1. Zoning densities in the Countryside (CS) zoning district be made consistent with the current Agricultural (AG) zoning cluster density. Downzone Countryside (CS) from 1 dwelling unit per 5 acres to 1 dwelling unit per 8 acres for cluster subdivision techniques.
2. Focus on attracting businesses that have the least impact on the environment.
3. Seek to increase facilities and residential opportunities for low income, seasonal workers and the elderly.
4. Be a conscientious steward of land and waterways as well as natural assets through a variety of protection measures.

**Objective 9:** Ensure that sufficient commercially zoned lands exist and those lands are appropriately located and provided with infrastructure.

**Recommendations:**

1. Create a database of commercially developable land that accounts for sewer or septic limitations and availability, non-tidal and tidal wetlands, environmental buffers, and other limitations so that the County has an inventory of commercially developable land.
  - a. Maintain an inventory of existing commercial and residential space as a means to encourage infill development and revitalization where there is existing infrastructure.
  - b. The database should include a map of the undeveloped commercial land contiguous to the US 50 corridor from Kent Island to the US 50/301 split.
  - c. The database should not include tax exempt properties such as churches, governmental buildings, and schools.
2. Expand the provision of infrastructure to support the establishment of employment centers.
3. Promote the development of Business Parks and Commercial Centers at key locations that support sustainable smart growth.
4. Encourage commercial zoning around towns and established Planning Areas.



**Objective 10:** As part of the refining of the Transfer of Development Rights (TDR) Program consider how TDRs are utilized in non-residential projects.

**Recommendations:**

1. Consider the use of TDRs for increases in building height in non-residential projects.
2. Consider modifications to the TDR Program for floor area and impervious coverage in non-residential projects.

**Objective 11:** Incorporate economic centers as part of the development pattern to support Planning Areas.

**Recommendations:**

1. Designation of new Planning Areas should include analysis of citing new economic centers that support sustainable smart growth.

**Objective 12:** Seek to preserve unique community identities.

**Recommendations:**

1. Encourage infill development compatible with existing historic architecture that contributes to maintaining community identity.
2. Consider a variety of land-use tools that promote preservation of historic sites and structures.

**Objective 13:** Support the establishment of greenbelts to define the boundary of Planning Areas and in coordination with Towns, as appropriate.

**Recommendations:**

1. Promote the designation of greenbelts as part of the County's Priority Preservation Area (PPA). (Refer to Section 3.0: Priority Preservation Areas Element, of this Plan).

**Objective 14:** Understand the fiscal consequences of implementing the Comprehensive Plan.

**Recommendation:**

1. Analyze the cost of achieving the goals and recommendations of this plan and the revenues it will produce.

**Objective 15:** In order to insure that the Sustainable Smart Growth Management Strategy is achieved and that the county remains a quintessential rural community provide for the adequacy of facilities in the county.

**Recommendation:**

1. Maintain the Adequate Public Facilities Ordinance to insure that growth management is achieved as prescribed in the 2010 Comprehensive Plan and to maintain a quintessential rural county.